

**CCC-502D****U.S. DEPARTMENT OF AGRICULTURE**

(12-14-99)

Commodity Credit Corporation

1. COUNTY

2. PROGRAM YEAR

3. STATE

**FARM OPERATING PLAN FOR PAYMENT ELIGIBILITY  
REVIEW FOR AN ESTATE OR TRUST**

**NOTE:** The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The Agriculture Act of 1949, as amended, and the Food Security Act of 1985, as amended, authorize the collection of the data on this form which will be used in applying statutory payment eligibility and limitation provisions. Furnishing this data is voluntary; however, without it we may be unable to establish your maximum eligibility for program payments. This data may be furnished to any agency responsible for enforcing these provisions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0096. The time required to complete this information collection is estimated to range from 30 minutes to 16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

4. Producer's Name and Address	5. Employer Identification No.	6. Type of Entity (Check One)	
		<input type="checkbox"/> Irrevocable Trust	
		<input type="checkbox"/> Revocable Trust	
		<input type="checkbox"/> Estate	
	7. Date Entity Formed	FOR COUNTY OFFICE USE ONLY	
		Was an Alien Registration Receipt Card shown?	Status Date
		Yes <input type="checkbox"/> No <input type="checkbox"/>	

**8. Members - For all heirs or beneficiaries having an interest in the entity.**

Heir's or Beneficiary's Name	Social Security/ Employer ID Number(s)	% Share	Salary/Bonus	Family Member Relationship	Position	Signature Authority for the Entity enter "yes or No"
Executor's or Grantor's Name						

**9. Citizenship**

<b>A. Are ALL heirs or beneficiaries U.S. citizens or aliens lawfully admitted into the U.S.?</b> <input type="checkbox"/> <b>Yes.</b> If an alien lawfully admitted into the U.S., show the County Office an Alien Registration Receipt Card and go to Item 10. <input type="checkbox"/> <b>No.</b> List ALL aliens not lawfully admitted into the U.S. and complete Item 9B.	<b>B. Are any heirs or beneficiaries an entity?</b> <input type="checkbox"/> <b>Yes.</b> Complete Item 9C. <input type="checkbox"/> <b>No.</b> Go to Item 10.	<b>C. Are ALL members of the entity(ies) U.S. citizens or aliens lawfully admitted into the U.S.?</b> <input type="checkbox"/> <b>Yes.</b> If an alien lawfully admitted into the U.S., show the County Office an Alien Registration Receipt Card and go to Item 10. <input type="checkbox"/> <b>No.</b> List ALL members of the entity who are aliens not lawfully admitted into the U.S. and go to Item 10.
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**10. Heir(s) or Beneficiary(ies) Who Are Minors**

Is any heir or beneficiary under 18 years of age?	<input type="checkbox"/> <b>YES</b> (provide the following information)	<input type="checkbox"/> <b>NO</b> (Go to Item 11)
Heir's or Beneficiary's Name and Date of Birth	Parents' or Guardians' Name and Social Security/Employer ID Number(s)	Parents' or Guardians' Address
(1)		
(2)		

If any heir's or beneficiary's parents or guardians have any interest in a farming operation, complete the following for each heir's or beneficiary's parent or guardian.

Name of Farming Interest(s)	Social Security/Employer ID Number(s) of Farming Interest	County(ies) and State(s) Where Located
(1)		
(2)		

**11. Farming Interests**

Do any heirs or beneficiaries, including spouses and minor children have any interest in a farming operation which is conducted under any name other than as listed in Item 4?

- ☐ Yes, one or more heirs or beneficiaries have other farming interests. (Complete Item 12)
- ☐ Yes, one or more heir's or beneficiary's spouses have other farming interests. (Complete Item 13)
- ☐ Yes, one or more heir's or beneficiary's minor children have other farming interests. (Complete Item 14)
- ☐ No, no heir or beneficiary including spouses and minor children has any other farming interests. (Complete Item 15)

**12. Other Farming Interests**

Enter the following information for **ALL** interests each heir or beneficiary has in a farming operation. Go to Item 15 if any heir's or beneficiary's spouse or minor children have no other farming interest(s).

Name of Heir or Beneficiary	Name of Farming Interest(s)	Social Security/Employer ID Number(s) of Farming Interest	County(ies) and State(s) Where Farming Interest(s) are Located

**13. Other Farming Interests of Heir's or Beneficiary's Spouse**

Enter the following information for **ALL** interests each heir's or beneficiary's spouse has in a farming operation. Go to Item 15 if any heir's or beneficiary's minor children have no other farming interest(s).

Spouse's Name	Name and Social Security/Employer ID Number of Farming Interest(s)	Was Farm Acquired Before Marriage and Kept Totally Separate?		County(ies) and State(s) Where Farming Interest(s) are Located
		Yes	No	

**14. Other Farming Interests of Member's Minor Children**

Enter the following information for **ALL** interests each heir's or beneficiary's minor children have in a farming operation, and go to Item 15.

Child's Name	Name of Farming Interest(s)	Social Security/Employer ID Number(s) of Farming Interest	County(ies) and State(s) Where Farming Interest(s) are Located

**15. Land**

Enter the following information for all land this estate or trust owns and/or leases. If ALL land in this farming operation is owned and operated by the estate or trust, enter the farm number, County and State, check "Owned," and enter the cropland acres.

Farm No.	County(ies) and State(s) Where Farm(s) is Located	Enter "X"			Name of Person Whom Land is Leased to and/or From	Cropland Acres	Rental Rate \$ per Acre/ % Crop Share	Enter "X" if the land interest is the same as last year.
		Owned	Leased To	Leased From				

**16. Capital**

If the estate or trust does not provide any capital for this farming operation, enter 0% and go to Item 17. \_\_\_\_\_%

What percent of the capital required for this farming operation does the estate or trust provide? \_\_\_\_\_%

**17. Equipment**

A. Owned Equipment: If ALL equipment used in this farming operation is owned by the entity, check "Owned" and go to Item 18.

B. Leased Equipment: Enter the following information for ALL leased equipment used in this farming operation.

Enter "X"			Percent of Total Owned" and "Leased From" Equipment	Name of Person Whom Equipment is Leased To and/or From	Does the Person Whom Equipment is Leased To or From Have an Interest in this Farming Operation?	
Owned	Leased To	Leased From			YES	NO
			%			
			%			
			%			

**18. Capital, Equipment, or Land**

A. Was any of this estate's or trust's contribution(s) of capital, equipment, or land acquired as a result of a loan?

☐ **Yes**, go to Item 18B.

☐ **No**, go to Item 19.

B. Was such loan acquired from or cosigned by an individual or entity who has ANY interest in this farming operation? (*Such interest may be as a landowner or another tenant.*)

☐

**Yes**, enter the following information:

☐

**No**, go to Item 19.

Contribution	Name of Individual or Entity	Individual's or Entity's Interest in the Farming Operation

**19. Labor**

A. Active Personal Labor: If no labor is provided by the heir(s), personal representative(s), or beneficiary(ies) for this farming operation, go to Item 19B.

List each heir, personal representative, or beneficiary who provides active personal labor.

Name(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What estimated TOTAL percent or hours of active personal labor is provided by the heir(s), personal representative(s), or beneficiary(ies)?

\_\_\_\_\_ % \_\_\_\_\_ hours

B. Hired Labor: Enter the estimated percent or percent of labor required for this farming operation which is hired and the heir's, personal representative's, or beneficiary's name that contributes the hired labor. If no labor is hired, go to Item 20.

Name of Heir, Personal Representative, or Beneficiary	Hours or Percent

C. Type and estimated percent or hours of other labor.

Type	Percent	Hours
	%	
	%	
	%	
	%	

**20. Management**

A. Active Personal Management. If the heir(s), personal representative(s), or beneficiary(ies) do not provide active personal management to the farming operation, go to Item 20B.

Enter the estimated TOTAL percent of the farming operation's management responsibility which is active personal management provided by the heir(s) or beneficiary(ies). \_\_\_\_\_ %

List each heir, personal representative, or beneficiary who provides active personal management and the type of managerial duties performed.

Name(s)	Type of managerial duties performed

B. Hired Management. If no management is hired, go to Item 21.

Enter the estimated percent of hired management. \_\_\_\_\_ %

**21. Person Status for Payment Limitation Purposes**

We believe the information entered on this document and any supporting documentation supports a finding that:

☐

This estate or trust is a "person" actively engaged in farming separate and distinct from any other individual or entity.

☐

This estate or trust is a "person" actively engaged in farming that is combined with another individual or entity. List the individual(s) or entity(ies) with whom this estate or trust should be combined.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**22. Certification**

*I certify that all the information entered on this document and any supporting documentation is true and correct. I understand furnishing incorrect information will result in forfeiture of payments and the assessment of a penalty. I will timely provide written notification to the Farm Service Agency committees for the county and State listed on this form of any changes in this farming operation.*

SIGNATURE

TITLE

DATE

## DEFINITIONS

The following definitions shall apply to Forms CCC-502A, CCC-502B, CCC-502C, CCC-502D, CCC-502EZ and this appendix.

- 1 **ACTIVE PERSONAL LABOR** -is personally providing physical activities necessary in a farming operation, including activities involved in land preparation, planting, cultivating, harvesting, and marketing of agricultural commodities in the farming operation. Other physical activities include those physical activities required to establish and maintain conserving cover crops or conserving use acreages and those physical activities necessary in livestock operations.
- 2 **ACTIVE PERSONAL MANAGEMENT** - is personally providing:
  - A The general supervision and direction of activities and labor involved in the farming operation; or
  - B Providing services (whether performed on-site or off-site) reasonably related and necessary to the farming operation including any of the following:
    - (1) Supervision of activities necessary in the farming operation, including activities involved in land preparation, planting, cultivating, harvesting, and marketing of agricultural commodities, as well as activities required to establish and maintain conserving cover crops or conserving use acreage and activities required in livestock operations.
    - (2) Business-related actions which include discretionary decision making;
    - (3) Evaluation of the financial condition and needs of the farming operation;
    - (4) Assistance in the structuring or preparation of financial reports or analyses for the farming operation;
    - (5) Consultations in or structuring of business-related financing arrangements for the farming operation;
    - (6) Marketing and promotion of agricultural commodities produced by the farming operation;
    - (7) Acquiring technical information used in the farming operation; or
    - (8) Any other management function reasonably necessary to conduct the farming operation and for which service the operation would ordinarily be charged a fee.
- 3 **CAPITAL** - consists of the funding and rental value of livestock provided by an individual or entity to the farming operation in order for such operation to conduct farming activities. In determining whether an individual or entity has contributed capital to the farming operation, such capital must have been derived from a fund or account separate and distinct from that of any other individual or entity involved in such operation. Capital does not include the value of any labor or management which is contributed to the farming operation. A capital contribution may be a direct out-of-pocket input of a specified sum or an amount borrowed by the individual or entity. With respect to a farming operation which consists of more than one individual or entity:
  - A Such capital which is contributed to meet the requirements of 7 CFR Part 1400.201 (b) must be contributed directly by the individual or entity and must not be acquired as a result of a loan made to:
    - (1) The farming operation in which the individual or entity has an interest;
    - (2) Such individual, entity, or farming operation by the farming operation or any of its members, beneficiaries or related entities; or
    - (3) Such individual, entity, or farming operation, which was guaranteed or secured by the farming operation or any of its members, beneficiaries or related entities.
  - B Such capital which is contributed to meet the requirements of 7 CFR Part 1400.201 (d) and 1400.6 must be contributed directly by the individual or entity and if acquired as a result of a loan made to the individuals or entities, such loan must be a loan bearing the prevailing interest rate.
  - C If livestock is leased from another individual or entity with an interest in the farming operation, the livestock must be leased at a fair market value.
- 4 **ENTITY** - is a corporation, joint stock company, association, limited partnership, irrevocable trust, revocable trust, estate, charitable organization, or other similar organization including any such organization participating in the farming operation as a partner in a general partnership, participant in a joint venture, a grantor of a revocable trust, or as a participant in a similar organization.
- 5 **EQUIPMENT** - is the machinery and implements needed by the farming operation to conduct activities of the farming operation including machinery and implements involved in land preparation, planting, cultivating, harvesting or marketing of the crops involved. Equipment also includes machinery and implements needed to establish and maintain conservation cover crops or conservation use acreages and those needed to conduct livestock operations. With respect to a farming operation which consists of more than one individual or entity:
  - A Such equipment which is contributed to meet the requirements of 7 CFR Part 1400.201 (b) must be contributed directly by the individual or entity and must not have been acquired as a result of a loan made to:
    - (1) The farming operation in which the individual or entity has an interest;
    - (2) Such individual, entity, or farming operation by the farming operation or any of its members, beneficiaries or related entities, or
    - (3) Such individual, entity, or farming operation, which was guaranteed or secured by the farming operation or any of its members, beneficiaries or related entities.
  - B Such equipment which is contributed to meet the requirements of 7 CFR Part 1400.201 (d) and 1400.6 must be contributed directly by the individual or entity and if acquired as a result of a loan made to the individuals or entities, such loan must be a loan bearing the prevailing interest rate.
  - C Such equipment may be leased from any source. If such equipment is leased from another individual or entity with an interest in the farming operation, the equipment must be leased at a fair market value.
- 6 **FAMILY MEMBER** - The term "family member" means an individual to whom another member in the farming operation is related as lineal ancestor, lineal descendant, or sibling, including spouses of those family members who do not make a significant contribution to the farming operation themselves.
- 7 **FARMING OPERATION** - is a business enterprise engaged in the production of agricultural products which is operated by an individual or entity which is eligible to receive payments, directly or indirectly.
- 8 **LAND** - is farmland consisting of cropland, pastureland, wetland, or rangeland which meets the specific requirements of the applicable program. With respect to a farming operation which consists of more than one individual or entity:
  - A Such land which is contributed to meet the requirements of 7 CFR Part 1400.201 (b) must be contributed directly by the individual or entity and must not have been acquired as a result of a loan made to:
    - (1) The farming operation in which the individual or entity has an interest;
    - (2) Such individual, entity, or farming operation by the farming operation or any of its members, beneficiaries or related entities; or
    - (3) Such individual, entity, or farming operation which was guaranteed or secured by the farming operation or any of its members, beneficiaries or related entities.
  - B Such land which is contributed to meet requirements of 7 CFR Part 1400.201 (d) and 1400.6 must be contributed directly by the individual or entity and if acquired as a result of a loan made to the individuals or entities, such loan must be a loan bearing the prevailing interest rate.
  - C Such land may be leased from any source. If such land is leased from another individual or entity with an interest in the farming operation, the land must be leased at a fair market value.
- 9 All other terms utilized in this form shall be defined pursuant to 7 CFR Part 1400.